

Exhibit A

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“Chemical Imprint – EPA Finds High Levels of
Stain-Resistance Ingredient in Conasauga River”

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Chemical imprint - EPA finds high levels of stain-resistance ingredient in Conasauga River

By Pam Sohn and Erin Fuchs Staff Writers February 10, 2008 Publication: Chattanooga Times Free Press (TN)

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Online: Read the research study on perfluorooctanoic acid and EPA records; listen to Dalton Utilities President Don Cope discuss the chemical; comment on this story.

First of two parts DALTON, Ga. - Five years after federal regulators began seeking changes in the makeup of a chemical used to produce carpet stain repellent, researchers have found "staggeringly high" amounts of the EPA advisory board-labeled "likely carcinogen" in the Conasauga River. Former University of Georgia professor Aaron Fisk, who oversaw a graduate student study measuring amounts of the chemical in rivers in 2006 and 2007, said levels of perfluorooctanoic acid and its compounds in the Conasauga were among the highest ever measured in water at a nonspill location. "These levels are staggeringly high," he said. "Nobody should be eating fish in that Loopers Bend area." Each day, the sprinklers at the Loopers Bend Wastewater Treatment Plant spray 30 million to 40 million gallons of wastewater, 87 percent of which is industrial waste, onto a 9,200-acre peninsula of forested land surrounded on three sides by the Conasauga River, Dalton Utilities officials said. Waste from the federally approved sewage treatment system is supposed to decompose in the soil, but both Dr. Fisk and EPA officials now believe the man-made perfluorooctanoic acid and its compounds slip virtually unchanged into the river. The chemical, often called PFOA or C8, is legal and has been used in carpet mills and other manufacturing sites in the area for at least 15 years, officials said. The U.S. Environmental Protection Agency published a notice in the Federal Register on April 16, 2003, stating the agency has identified "potential human health concerns from exposure" to the substance but noted, "there remains considerable scientific uncertainty regarding potential risks." Three years later, the EPA began negotiating for changes with the eight national companies that make PFOA and labeled the chemical a "likely carcinogen." EPA reports also state the chemical has been linked with problems such as low-weight babies. Though careful to say the products made with PFOA are safe, the EPA asked PFOA makers to reduce the chemical in the products they supply to the carpet industry and other manufacturers, records show. The chemical makers agreed to reductions of 95 percent no later than 2010 and "to work toward eliminating the chemicals by 2015." The concern locally is so new that regulators do not monitor or require permits for the chemical, much less have cleanup strategies, according to Georgia Environmental Protection Division officials. Hairdresser Wilma Gibson, 66, who has lived her entire life by the Conasauga, said she began noticing a stench wafting from the river more than a decade ago. Although she doesn't smell the odor as much anymore, she doesn't believe the river is clean. "I wouldn't eat out of it," she said. "I wouldn't even swim in it, if I could swim." **"UNDUE CONCERN AND ANXIETY"** While carpet industry leaders knew about the EPA's concerns, they rejected an offer to participate with the EPA in local PFOA monitoring in wastewater, solid waste and air, EPA records show. A May 13, 2004, position statement on the chemical from the Carpet and Rug Institute Board of Directors, included in EPA records, states, "It would be premature to commence PFOA environmental monitoring at this time." "In addition," the statement continues, "if monitoring were conducted under present conditions, the findings would be open to

conjecture and misinterpretation, resulting in undue concern and anxiety."The statement is unsigned, but Carpet and Rug Institute President Werner Braun recently defended the letter."In our society today, it is absolutely known that you report the presence of some chemical and everybody gets all up and arms," Mr. Braun said.Dalton Utilities President Don Cope said no regulatory requirements exist for the utility to test for or limit the stilllegal chemical in the utility's wastewater."It's not a part of my permit, and it's not something I've been told to analyze for," Mr. Cope said. "At this juncture, nobody has told anybody to monitor, modify or do anything in regards to that."The utility, like the trade group, knew the concerns the EPA already had raised, and in 2006, when national media reports surfaced about PFOA in Teflon, Dalton Utilities officials crafted their own media statement, according to Mr. Cope and Dalton Utilities spokeswoman Lori McDaniel.The statement indicated that the utility "would take no action until the regulatory agencies who permit our operations provide us with guidance indicating that any action is necessary.""To date, none of the regulatory agencies overseeing our operations have communicated any information to us on this matter," the statement reads.The statement was never released, according to Mr. Cope and Mrs. McDaniel, because neither residents nor local news outlets inquired about the substance being in local waterways.**FEDERAL STUDY UNDER WAY**In the two decades since some Dalton manufacturers began producing new carpets with brand names such as Stainmaster, PFOA has garnered headlines at home and abroad. Researchers around the world began to announce they were finding the unnatural chemical in unlikely places, including Arctic ice, polar bears and in the blood of the U.S. general population.The same characteristic in the chemical that makes carpet impervious to dampness and stains also allows it to spread easily and endure in the environment, scientists said. The substance does not bind easily to materials such as soil, so it travels with rainwater runoff. Since it does not absorb water, it also does not break down, scientists said.The EPA's Mary Dominiak, who coordinated the agency's PFOA investigation, said the 2004 rejected Dalton monitoring plan would have helped the agency better understand how the chemical travels from its industrial users to the environment and people.Such monitoring also might show how widespread PFOA's presence is in local air, soil and water, records show.EPA records and Ms. Dominiak indicated Dalton was chosen as a site for the proposed study because the carpet industry was a heavy user of the product.High PFOA levels in the Carpet Capital would mean that a PFOA "user" such as the carpet industry "could be one of the sources of the chemicals out in the environment," she said.For now, the work by Mr. Fisk and his graduate students for an American Fisheries Society group and a UGA forestry study is the only apparent public examination of the issue.When meetings of PFOA makers and the EPA began in 2003, some Dalton industry leaders took part, EPA records show. Representatives from both Shaw Industries and the Carpet and Rug Institute were at the meeting where environmental consultant Ranjit Machado, of Environ, presented a plan for PFOA monitoring in Dalton, according to the EPA's records. The records show industry leaders, like the trade group, declined to help carry out the monitoring plan, citing a lack of EPA monitoring standards.Shaw Industries' Rick Ramirez said in a recent e-mail message that the company is "not at all" opposed to environmental testing of groundwater at some point for PFOA.Mr. Ramirez, vice president of sustainability and environmental affairs, added, "When a quality standard is in place, we would be very supportive of any science-based testing."Ms. Dominiak said studies on the chemical's health risks could take a couple of years before being completed.E-mail Pam Sohn at psohn@timesfreepress.com E-mail Erin Fuchs at efuchs@timesfreepress.com **FAST FACTS**U.S. Environmental Protection Agency officials say the products made with perfluorooctanoic acid are safe but have raised questions about health and environmental risks associated with wastes containing the chemical and its compounds.The EPA does not have a full understanding of how people are exposed to PFOA.The EPA has asked the eight manufacturers of PFOA and related chemicals to reduce PFOA product content globally by 95 percent no later than 2010 and to work toward eliminating the chemicals by 2015. The companies are Arkema, Asahi, Ciba, Clariant, Daikin, DuPont, 3M/ Dyneon and Solvay Solexis.University researchers have found "high" levels of PFOA and related chemicals in the Conasauga River.The EPA recommends no steps to consumers to reduce exposures to these chemicals "because their sources in the environment and the pathways by which people are exposed are not known." Sources: EPA, UGA research study

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